

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1398

March 25, 2013

SUMMARY OF BILL: Creates a new Class E felony for failing to include a provision in a contract regarding access of sexual offenders to public schools, private or parochial schools, day care centers, public parks, playgrounds, recreation centers, and public athletic fields when children under 18 years of age are present. Redefines Class E felony for a sexual offender to knowingly be upon or remain on public schools, private or parochial schools, day care centers, public parks, playgrounds, recreation centers, and public athletic fields when children under 18 years of age are present by deleting the requirement that the offender have reason to believe such children are present.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Although the bill appears to broaden the offense for a sexual offender to be upon or remain on public schools, private or parochial schools, day care centers, public parks, playgrounds, recreation centers, and public athletic fields when children under 18 years of age are present, the current offense requires the offender to act knowingly. If the offender has reason to believe that children under 18 are on the premises and he enters or remains upon the premises, then the offender acts knowingly. It is assumed that the bill would not increase the current number of admissions under Tenn. Code Ann. § 40-39-211.
- It is assumed that the affected entities will be made aware of the new required contract provision and will change their contracts accordingly. It is assumed that the bill would not increase the current number of admissions under Tenn. Code Ann. § 40-39-211.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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